

Foley & Lardner

FAX RECEIVED

MAY 23 2003

FAX TRANSMISSION

PETITIONS OFFICE

TO: Office of Petitions,
U.S. Patent and Trademark Office

FROM: Charles G. Carter

Attn: Karen Creasy
(703) 305-8859

F&L REF. NO.: 044829-0127

Total pages, including cover letter: 4

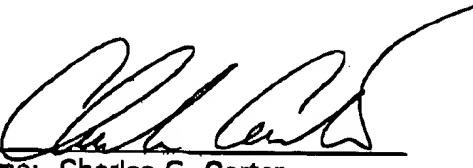
PTO FAX NUMBER 1.703.308.6916

If you do NOT receive all of the pages, please telephone us at (414) 297-5842, or fax us at (414) 297-4900.

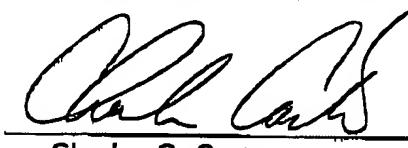
Title of Documents Transmitted:

(1) Substitute Preliminary Amendment
(2) Request for Reconsideration of
Dismissed Petition filed under 37 C.F.R. §
1.78(a)(3)

Applicant(s): McDonald et al.
Serial No.: 09/850,324
Filed: May 7, 2001
Group Art Unit: 1714
F&L Ref. No.: 044829-0127

By: 
Name: Charles G. Carter
Reg. No.: 35,093

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Charles G. Carter

May 23, 2003
Date

Appl. Ser. N . 09/850,324
Atty. Dkt. No 044829-0127

#13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonald, et al

Title: ANTIMICROBIAL POLYMER

Appl. No.: 09/850,324

FAX RECEIVED

Filing Date: 05/07/2001

MAY 23 2003

Examiner: To be determined

PETITIONS OFFICE

Art Unit: 1714

REQUEST FOR RECONSIDERATION OF DISMISSED PETITION FILED**UNDER 37 C.F.R. § 1.78(a)(3)**Office of Petitions
Washington, D.C. 20231

Sir:

Applicants previously filed a Petition for Acceptance of an Unintentionally Delayed Claim for Priority on April 18, 2003. The Petition was dismissed for failing to make a proper reference, as required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(2)(i), that includes the proper relationship of the instant application to prior-filed applications. Applicants believe that the Substitute Preliminary Amendment including herewith amends the application to include a proper reference as required by 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(2)(i). As such, Applicants respectfully request that their Petition for Acceptance of an Unintentionally Delayed Claim for Priority, filed on April 18, 2003, be reconsidered.

Respectfully submitted,

By Date May 23, 2003

By

FOLEY & LARDNER
Suite 3800
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5842
Facsimile: (414) 297-4900

Charles G. Carter
Attorney for Applicant
Registration No. 35,093

Appl. Ser. No. 09/850,324
Atty. Dkt. No. 044829-0127

#14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonald, et al

Title: ANTIMICROBIAL POLYMER

Appl. No.: 09/850,324

Filing Date: 05/07/2001

Examiner: To be determined

Art Unit: 1714

FAX RECEIVED
MAY 23 2003
PETITIONS OFFICE

SUBSTITUTE PRELIMINARY AMENDMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

Applicants respectfully request that the application be amended as follows:

In the Specification:

Please amend the specification as follows:

Before line 1, please add the following paragraphs:

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation-in-part of U.S. Serial No. 09/671,784, filed September 27, 2000, issued as U.S. Patent No. 6,399,714, on June 4, 2002; and this application is a continuation-in-part of U.S. Serial No. 09/698,619, filed October 27, 2000, issued as U.S. Patent No. 6,495,657, on December 17, 2002.

STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT

This invention was made with Government support under NREL Subcontract NO. XXE-9-29058-01, Prime Contract No. DE-AC36-98GO10337 awarded by the Department of Energy. The Government has certain rights in this invention.